

### **REMARKS/ARGUMENTS**

Claims 1-17 are pending herein, with claims 1 and 4 being independent. Claims 1-17 have been cancelled, and re-presented as new claims 18-34. The claims have been re-written to comply with accepted U.S. practice, grammar and idiom, and re-ordered to present the claims logically, but it is believed that the scope of the claims as now presented is substantially commensurate with the scope of the claims as previously presented.

In the pending Office Action the Examiner rejected claims 1-17 under 35 U.S.C. § 112 (second paragraph), as failing to point out and distinctly claim the invention. As mentioned, the claims have been cancelled and re-presented as new claims 18-34, which claims are believed to be in proper form, and overcome the deficiencies noted by the Examiner in the Office Action. Accordingly, withdrawal of the rejection under 35 U.S.C. § 112 (second para.) is respectfully requested.

The Examiner also rejected the claims under 35 U.S.C. § 102(b) as allegedly anticipated by United States Published Patent Appln. No. 2003/0188583 (Schneider); and under the judicially created doctrine of double patenting in light of United States Patent No. 6,615,709 (Suomi, *et al.*). Applicants have carefully considered the Examiner's rejections and the reasons offered in support thereof, and respectfully disagree with the conclusion reached by the Examiner. Applicants submit that, for the reasons expressed below, the invention is patentably distinct from either Schneider or Suomi, *et al.*

The following description is taken from the specification and is provided for the Examiner's convenience and is not intended to argue limitations not present in the claims or to argue for a construction of any term appearing in the claims that is more narrow than one of ordinary skill in the art would ascribe to such term from a reading of the application as a whole.

The invention is directed to a method and apparatus for controlling and adjusting a fibre-web machine. The invention calls for measuring signals emanating from at least one section of the machine, and comparing the frequency and/or amplitude of the signals to determine if they deviate from expected values of reference signals thereof. If the measured signals do deviate from the expected values, then the inventive apparatus generates a control signal to correct the deviation. According to the invention, the deviation may be in either the magnitude of the signal measured in a particular frequency band, or in a frequency shift of the measured signals. This differs from that which is taught and/or suggested by Schneider or Suomi, *et al.*

Schneider teaches a machine and process for operating a machine, in which vibrations are measured in different frequency ranges and compared individually with predetermined upper acceptable limits. When the measured vibrations exceed the maximum limits, then the invention teaches taking appropriate measures to address the deviation (“The amplitudes obtained in the frequency area for the various frequencies  $v_i$  are each compared with a preset upper limit value 38 in order to be able if necessary to start active and/or passive measures if this limit value is exceeded.” – p. 5, para. [0106]). Schneider, therefore, does not teach measuring a shift in the measured frequencies to determine there is a need for correction, or making a correction if the measured signal falls *below* a predetermined value. Schneider does not even contemplate or suggest such comparisons, and therefore fails to teach or suggest the claimed invention. Withdrawal of the rejection under 35 U.S.C. § 102(b) is therefore solicited.

The earlier Suomi, *et al.* patent likewise fails to teach or suggest the claimed invention, and therefore the double patenting rejection should be withdrawn.

Claims 1-6 of the Suomi, *et al.* patent are directed to a method for detecting contamination of a roll face in a calendar for paper, in which, in part, problems are detected by

virtue of a phase shift of measured vibrations. A phase shift in measured vibrations may not result in a change in amplitude *or* in a change or shift in frequency. In fact, measuring only a phase shift, of necessity, differs from measuring *either* amplitude *or* frequency. Furthermore, claims 1-6 do not teach comparison of the measured vibrations to any reference signal, but rather teach the comparison of measured vibrations from one part of the machine to measured vibrations of *another* part of the machine.

Thus, the invention claimed in claims 1-6 of Suomi, *et al.* is patentably distinct from the instant invention.

Claims 7 and 8 of Suomi, *et al.* are directed to a method for detecting contamination and damage of a roll face in a calendar for paper comprising, *inter alia*, separating, by means of a high-pass filter, interfering signals detected by vibration detectors. Again, these methods do not include comparing amplitudes and frequency shifts of measured signals to a reference signal, and so are also patentably distinct from the invention as claimed.

Claims 9 and 10 of Suomi, *et al.* are directed to a method for detecting contamination and damage of a roll face in a calendar for paper, in which the location of vibrations is detected so that corrective measures may be directed to the specific location in which a problem originates, but this method does not involve comparing the frequency and/or amplitude of a measured signal against a reference signal to apply a corrective control signal to the apparatus, and so are patentably distinct from the invention claimed herein.

Claim 11 involves a method of scheduling replacement of rolls in a calendaring machine by means of collecting data relating to observed disturbances of the roll face in a calendar for paper, and accumulating the information to set an alarm when it is time to replace the roll face. It does not deal with the measurement of signals and the controlling of the active operation of the

machine by means of a deviation in either or both of frequency and amplitude of measured signals from a reference signal.

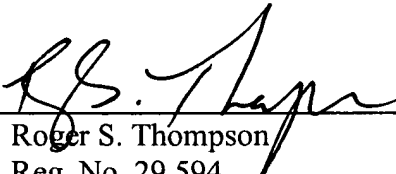
Thus, the invention is patentably distinct from the invention patented in Suomi, *et al.*

There being no further grounds for objection or rejection, early and favorable action is respectfully solicited.

It is believed that no further fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
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